

Dated 22nd March 1943.

No. P. W. 9068-71—Inn. 2-47-47. Under Section 6 of the Land Acquisition Act of 1894, as amended by the Land Acquisition Amendment Act No. I of 1927, the Government of His Highness the Maharaja of Mysore declare that the land measuring 4 acres and 16 guntas be the same a little more or less, is needed for a public purpose, to wit, Approach road from 6th mile of Shimoga Umbabhyle road to Thunga Anicut site; and under Sections 4 and 7 of the same Act, the Assistant Commissioner in charge of Shimoga Sub-Division is appointed to perform the functions of a Deputy Commissioner under the Act and directed to take orders for the acquisition of the said land. Under sub-section (1) of Section 17 of the Act, the Government further direct that the possession of the said land may be taken on the expiry of fifteen days from the date of publication of the notice mentioned in Section 9 (1) of the Act. A plan of the land is kept in the Office of the Shimoga Sub-Division, and may be inspected at any time during office hours.

SHIMOGA DISTRICT, SHIMOGA TALUK, KASABA HOBLI, YARAGANAHAL VILLAGE.

Name of khatedar or owner	Survey No. or Ml. No.	Whether dry, wet, garden, etc.	Total extent	Kharab	Remaining extent.	Assessment	Boundaries				
							Extent now required	East	West	North	South
Sri. B. R. Puttananjappa, Managing Director, The Mysore Agriculture and Allied Industries Ltd., Shimoga.	99	4 acres and 16 guntas.	Lakkinakoppa village boundary.	Kuskur Inam village boundary.	Remaining portion of this S.No.	Remaining portion of this S.No.

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B. S. NARASINGA RAO, P. W. Secy.

CHIEF SECRETARIAT

Order No. O. 333-348—O. E. 10-48-1, dated, Bangalore, the 12th July 1948.

Sri P. Honappa, B.A., Assistant Secretary to Government, is placed on Special Duty in connection with the arrangements for the reception and entertainment of Indian Guests during the Festivities connected with the Birthday of His Highness the Maharaja in July 1948.

2. Gentlemen invited to Mysore as Guests are requested to place themselves in communication with the officer on Special Duty for any information or assistance they may require by way of accommodation, etc., at Mysore.

3. The Deputy Commissioner, Mysore District, the General Manager, Mysore State Railway, the Municipal Commissioner, Mysore City Municipality, the Executive Engineer, Mysore Division, the Superintendent, Mysore Power and Lighting, and the Executive Engineer, Headquarters Range, Mysore, are requested to render all reasonable help to the officer on Special Duty.

V. VEDAVYASACHARYA,
Chief Secy.

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GENERAL SECRETARIAT

Dated 3rd July 1943.

No. S.R. 37—L.W. 13-47-38. Under Section 12 (4) of the Mysore Labour Act, XIII of 1942, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information the accompanying report of the Chief Conciliator in Mysore, Bangalore, in respect of the failure of Conciliation proceedings in the dispute between the Labour Association of the Mysore Chemicals and Fertilisers, Ltd., Belagula, and the concerned Works Management in regard to the eight notices of change dated 26th February 1943 given by the said Labour Association urging certain demands as mentioned in the report.

MOHAMED ISMAIL SHERIFF, Gl. Secy.

OFFICE OF THE CHIEF CONCILIATOR IN
MYSORE, BANGALORE.

Dated the 20th May 1943

No. C. C. 24-31—47.

Encl.

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General Department, Bangalore.

Sir,

Association, Belagula, to the General Manager, the Mysore Chemicals and Fertilisers, Ltd., Belagula. The Management were not agreeable to concede the demands set forth in the notices of change and in the negotiations which followed, the Assistant Commissioner of Labour, Mysore Division, failed to bring about a settlement. Thereupon these disputes were referred to this office for initiating conciliation proceedings under Section 10(3) of the Labour Act.

I met the parties at Mysore on the 17th and 18th May 1948 and attempted to bring about a conciliation on the several points in the dispute. Dr. K. L. Ramaswami, General Manager, appeared on behalf of the Management, while the Labour Association was represented by the Vice-President Sri A. Subrahmanya Iyer, Secretary Sri H. C. Krishna Iyengar, and Assistant Secretary Sri R. S. Nivas, Sri H. Gopalraj Urs, Gazetted Labour Probationer, were present on behalf of the Labour Department.

NOTICE OF CHANGE NO. I.

Demand No. 1.—Sufficient number of latrines and urinals of the prescribed standard shall be provided for male and female workers separately at convenient places and be kept in a clean and sanitary condition during the working hours.

Demand No. 2.—(1) Every adult or child, before employment in the Factory, shall be subjected to medical examination by the prescribed medical authority and a copy of report of such examination be sent to the Association.

(2) Every employee shall be examined as above at least four times in every year and a copy of the report of such examination be sent to the Association.

(3) Every employee shall be subjected to a similar examination while leaving the services of the company of his own accord or otherwise and a copy of report of such examination be sent to the Association.

Re. Latrines and Lavatories.—At present there are two urinals, one flush latrine and one ordinary latrine. The demand is that there should be two more urinals and two more flush latrines. The Association accused the Management of indifference. It was pointed out that although the notices of change had been given several months ago no positive steps had been taken by the Manager to carry out this obligatory duty. The General Manager stated that after the receipt of the notice he had obtained estimates and plans prepared and got them approved by the Sanitary authorities, that he would get the Board's approval at the next meeting and try his utmost to put up the structures within two months thereafter. The Association was not willing to give more than one month's time from now. The General Manager, stated that in the absence of the Board's sanction and due to the unavailability of cement, sanitary equipment, etc., it was impossible for him to enter into a definite commitment as to the date of completion. He was however willing to place the estimated cost of the

Demand No. 2—(Medical Examination).—The Management had just now instituted a half-yearly examination of every employee by the Works' Doctor. This experiment had to be tried for some time more with a view to see if quarterly examinations were feasible. He had no objection to furnish copies of medical report to the Association if the individuals concerned made a request to that effect. The Association pointed out that their demand was based on the resolution passed unanimously at one of its meetings and that the resolution was binding on every employee. The General Manager however brought to notice that subsequent to the meeting some of the employees came to him privately and warned him against his furnishing medical reports about them to the Association. The Vice-President of the Association disputed the correctness of this statement. I pointed out that medical reports were generally regarded as confidential documents which could not be furnished even to the Association, if any member of it objected. The Vice-President stated that he was unable to agree with this view. As regards compelling employees to undergo medical examination before discharge, the General Manager stated that he had no legal power to enforce such examination, or withhold payment of arrears in the absence of such examination. I pointed out that this was a legal question on which the Association would do well to consult a competent Lawyer. The Association however took the view that the Management could enforce such examination if only they made up their mind. The General Manager was unable to accept this contention.

NOTICE OF CHANGE NO. II.

The memo dated 6th February 1948 showing a list of persons who held positions of supervision for management or employed in a confidential position was not in order. Most of the employees mentioned in that list did not come within the purview of Section 43 of the Mysore Factories Act and Rules 105 and 106 thereunder. The list should therefore be withdrawn forthwith.

The list contained names of more than eighty employees. According to the Association only thirteen persons in that list satisfied the requirements of Section 43 and the rest were governed by Section 47. By including a much larger number the Management were denying overtime allowance to a large number of people who were entitled to the same under the Factories Act. The Association was not consulted when the list was prepared. Mr. Ramaswami contended that the classification had been correctly made and that the list had been published with the approval of the Chief Inspector of Factories.

The present deadlock was not likely to end unless the Government directed the Chief Inspector to scrutinise the list once again, hear both the parties and make such changes in the list as might be needed.

NOTICE OF CHANGE NO. III.

The Management shall give a yearly bonus of 40 per cent of the net profits of the factory to be distributed, equally among all the employees for each year of service, commencing from the year 1947-48.

- NOTE 1. Service includes all kinds of leave availed of during the year for which bonus is calculated.
2. Employees who have served a month and multiples thereof are entitled to the payment of bonus proportionately.
3. Every employee should be paid a minimum sum of Rs. 100 as bonus for each year of service.

In explaining the demand, Sri Subrahmanya Iyer stated that the payment of Rs. 100 for each year of service was independent of the question whether the factory made a profit or not. The Management were frankly unable to concede the demand until after the year's working become definitely known. Mr. Ramaswami added that it was impossible to agree to pay anything as bonus when there was no net profit in any year.

NOTICE OF CHANGE NO. IV.

The Management should grant Rs. 30 per mensem to every employee as Dearness Allowance from 1st January 1948 irrespective of the cadre in which he is employed.

Sri Ramaswami stated that the scale now paid was the same as that paid to Government employees and that he was

that the employees of the Chemical Industries should not for this purpose be clubbed with workers in other industrial concerns, such as textile mills, etc., and that it was essential that the workers in a Chemical Factory whose life was shortened by the poisonous atmosphere in which they worked should get a minimum allowance of Rs. 30 in these days of mounting food costs. Sri Ramaswami was unable to accept this demand.

NOTICE OF CHANGE NO. V.

The monthly emoluments now paid to the employees in the Mysore Chemicals and Fertilisers are utterly inadequate. The Management should give them 50 per cent more than the Pay Commission's recommendations. The present preferential treatment shown to clerks should cease.

I pointed out to the Association that their demand was indefinite in that it did not state what the Pay Commission had recommended in the case of employees in a Chemical Factory. Sri Subrahmanya Iyer stated that the demand was a general one and that if the Management showed any disposition to consider the request he would furnish all the requisite details in no time. Sri Ramaswami denied the charge of favouritism in the case of clerical staff. The Management was unable to consider any request for enhanced emoluments in the present financial condition of the factory.

NOTICE OF CHANGE NO. VI.

The Management were not following any definite principles in the matter of promotions and increments to their employees. The present practice of recruiting fresh men for some technical posts by prescribing certain qualifications was quite unjust as there were already among the employees several experienced and competent men fit to be promoted to those posts. This practice amounted to victimisation and must be stopped forthwith.

By way of illustration Sri Subrahmanya Iyer took the case of junior operators and testers. The latter were really doing more responsible work, though they were getting less salary than junior operators. The Management had recruited a number of fresh hands as junior operators by prescribing a pass in Senior Intermediate—an innovation which had detrimentally affected the interests of many testers who were otherwise fully competent to occupy those posts. Sri Ramaswami stated that the Management believed that a certain proportion of the junior operators should be Senior Intermediate men. He was not agreeable to reserve all these posts for the testers already in service.

NOTICE OF CHANGE NO. VII.

The Management should deduct the monthly subscription of the members of the Association in their monthly salary bills and credit the same to the current account of the Association with the Mysore Bank. Sri Ramaswami was agreeable to adopt this course provided every employee who was a member of the Association gave his consent in writing. The Association however insisted that no such individual consent was necessary and that the resolution of the Association must be treated as sufficient authority to make the deduction. I told the representatives of the Association that this was again a legal question on which they would do well to take legal opinion and that so far as I could see the Management would not be in order in effecting the deduction without individual consent. Sri Subrahmanya Iyer however did not welcome this suggestion.

NOTICE OF CHANGE NO. VIII.

Demand No. 1.—(1) The Management should start contributing its quota to the Provident Fund from the date the employee's contribution commences.

(2) When an employee closes his Provident Fund account after three years service the Management should pay a sum equal to the amount which he has contributed to the fund. At present the Management's contribution commences only one year after the employee begins to contribute to the fund. It is limited to 25 per cent when the employee period of service does not exceed three years. It rises by a graduated scale till it equals the employee's contribution when the period of service reaches 10 years.

Sri Ramaswami stated that the M

Demand No. 2.—The employees working in the Mysore Chemicals and Fertilisers canteen should be deemed to be employees of the factory.

Sri Ramaswami stated that it was not possible to comply with this demand as the Management were not running the canteen themselves. It had been entrusted to a contractor who would take away his employees when his contract terminated. The Management had no hold on the contractor's employees. The argument of the Association was that the Management themselves should run the canteen in the interest of the employees. Sri Ramaswami was unable to accept this proposition.

Demand No. 3.—The Management should give a clothing allowance of Rs. 5 per mensem to each employee.

Sri Ramaswami stated that the question of supplying stitched clothing once a year to the employees of the Works was under the consideration of the Management. The Association contended that the tastes of the individuals differed and that it was opposed to the supply of the stitched clothing of a uniform pattern to all the employees. Sri Ramaswami however pleaded his inability to add anything to what he had already stated.

Demand No. 4.—The employees coming from Belavadi Village should be paid conveyance charges at the usual rates.

Sri Ramaswami stated that the assumption of the Association that this village was five miles from the Works was not correct, that two Executive Engineers had certified the distance to be $3\frac{1}{2}$ miles only and that under the rules employees coming from less than five miles were not entitled to travelling expenses. He added that the existing arrangement was the result of prolonged negotiations between the Management and the employees. The Management was not prepared to reopen the question.

Demand No. 5.—The practice of supplying coffee to night workers had been stopped without notice. The Management should issue immediate orders for the supply of hot coffee with biscuits to all employees working on the midnight shifts.

Sri Ramaswami stated that the practice of supplying coffee to night workers was tried as an experimental measure for some time. The experiment was not a success, and the work in the factory showed no improvement. The supply had therefore been stopped. It was not likely that the Management would revive the practice. The Association complained bitterly about the unsympathetic attitude of the Management even with regard to such a small matter as serving hot coffee to workers who were compelled to keep awake during sleeping hours.

This concludes the catalogue of Demands of the Labour Association. From the beginning it was clear to me that the cleavage between the Management and the employees was too deep to be bridged. There was an atmosphere of hostility and distrust which any amount of persuasion on my part was unable to dispel. I could see that any attempt at reconciliation in the present temper of the employees and the attitude of the Management was bound to result in failure. I talked to them about the changed conditions, the new Labour Legislation on the anvil making the employees partners with the employers in all industrial concerns and the recent tripartite Conferences held both at Delhi and at Bangalore to bring about an industrial truce in an earnest attempt to increase the production in the country. I am afraid that my exhortation in this respect made little or no impression on the parties to the dispute. I am accordingly reporting failure of the conciliation proceedings under Section 12 (4) of the Act.

I have the honour to be,

Sir,

Your most obedient servant,

K. SUBBA RAO, Chief Conciliator.